

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: WISCONSIN

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Enforcement of Compliance for Nursing Facilities

Termination of Provider Agreement: Describe the criteria (as required at §1919(h)(2)(A)) for applying the remedy.

X Specified Remedy

(Will use the criteria and notice requirements specified in the regulation.)

Immediate termination. (Authority to immediately terminate a facility's provider agreement is found in s. 49.45, Wis. Stats., and 42 CFR 488.406, 488.410, and 488.456.)

The state shall initiate immediate action to terminate a facility's provider agreement if the state:

- determines that a facility no longer meets the requirements of 42 CFR 483;
- determines that immediate jeopardy to resident health, safety and welfare exists as defined by Appendix Q (Guidelines for Determining Immediate and Serious Threat to Patient Health and Safety) of the State Operations Manual; or
- chooses not to appoint a temporary manager or it is unable to appoint a temporary manager because of court action.

Termination. (Authority to terminate or recommend termination of a facility's provider agreement is found in s. 49.45, Wis. Stats., and 42 CFR 488.406.)

The state may terminate or recommend termination of a facility's provider agreement whenever a facility fails to correct a deficiency determined to constitute a non-immediate jeopardy within the specified period of time.

TN No. 95-016
~~Supersedes~~
TN No. 91-013

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